Joshua Dorchak BINGHAM MCCUTCHEN LLP 399 Park Avenue New York, New York 10022 (212) 705-7000

Attorneys for Deutsche Bank AG and DB Energy Trading LLC

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

------X

In re : Chapter 11

•

LEHMAN BROTHERS HOLDINGS INC., : Case No. 08-13555 (JMP)

· (Iointly Administ

Debtor. : (Jointly Administered)

-----X

STATEMENT OF DEUTSCHE BANK AG AND DB ENERGY TRADING LLC IN SUPPORT OF THIRD AMENDED JOINT CHAPTER 11 PLAN

Deutsche Bank AG and DB Energy Trading LLC, through their undersigned counsel, hereby file this statement in support of confirmation of the Debtors' Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Affiliated Debtors Pursuant to Section 1125 of the Bankruptcy Code [Docket No. 19627] (the "Plan"), filed by Lehman Brothers Holdings Inc. and its affiliated chapter 11 debtors (collectively, the "Debtors") on August 31, 2011 in the above-captioned case.

Deutsche Bank AG and DB Energy Trading LLC are parties to separate Plan Support Agreements (the "PSAs") with the Debtors. Subject to the terms and conditions of the PSAs, Deutsche Bank AG and DB Energy Trading LLC support the confirmation of the Plan, except as noted below.

08-13555-jmp Doc 21663 Filed 11/04/11 Entered 11/04/11 17:06:37 Main Document Pg 2 of 2

For the avoidance of doubt, Deutsche Bank AG makes this statement without prejudice to

its rights and remedies in the dispute referenced at page 4-9 of Exhibit 4 of the Disclosure

Statement for the Plan concerning the Debtors' proposed re-classification of certain allowed

claims initially held by Lehman Brothers Bankhaus AG, and Deutsche Bank AG reserves its

rights to object to confirmation of the Plan solely with respect to such re-classification, and

otherwise to defend its interests in connection therewith.

Dated: November 4, 2011 New York, New York

BINGHAM MCCUTCHEN LLP

/s/ Joshua Dorchak

Joshua Dorchak joshua.dorchak@bingham.com 399 Park Avenue New York, New York 10022 (212) 705-7000

Attorneys for Deutsche Bank AG and DB Energy Trading LLC